

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11730 NG

GEORTO, INC.,

Plaintiff,

v.

WILLIAM GATEMAN, INDIVIDUALLY
and as TRUSTEE OF 200 UNION
STREET REALTY TRUST

Defendant,

Third Party Plaintiff, and

Third Party Defendant-in-
Counterclaim

ROBERTS CORPORATION

Third Party Defendant,

and Third Party Plaintiff-in-
Counterclaim

**EMERGENCY MOTION OF JAMES S. ROBBINS, ESQ. AND ALAN G. MILLER,
ESQ. TO WITHDRAW FROM THE REPRESENTATION OF THE DEFENDANT AND
THIRD PARTY PLAINTIFF, WILLIAM GATEMAN, IN THE ABOVE CAPTIONED
ACTION**

Now come counsel for the Defendant and Third Party Plaintiff, William Gateman, and pursuant to Local Rule 83.5.2 hereby petition this Honorable Court, on an emergency basis, to permit James S. Robbins, Esq. and Alan G. Miller, Esq. to withdraw as counsel for the Defendant and Third Party Plaintiff, William Gateman, Individually and as Trustee of 200 Union Street Realty Trust.

As grounds therefore, counsel state that they and Mr. Gateman have developed serious irreconcilable differences and opinions as to the defense of the case and prosecution of the

Third Party claims. Counsel and Mr. Gateman feel that given these differences, they cannot properly and adequately represent him in this matter.

Further, counsel have, in fact, been discharged by Mr. Gateman from any further representation. Mr. Gateman is presently seeking other counsel to represent him in the case.

There are no Motions of the Plaintiff or Third Party Defendant presently pending before the court, although Defense counsel has this day filed a Motion to Extend (by two weeks) the Date by Which the Defendant must designate and disclose his rebuttal Experts to February 15, 2006 in order to protect Mr. Gateman and give time for his new counsel to respond.

Finally, in further support of this Motion to Withdraw, counsel has been informed that the Third Party Defendant anticipates filing a Dispositive Motion by January 30, 2006 which Motion should properly be responded to by Mr. Gateman's new counsel. Discussions have been had with counsel for the Third Party Defendant (Roberts) as to their allowing additional time, should such a dispositive motion be filed, for the new counsel to respond.

WHEREFORE, counsel for the Defendant petition this Honorable Court to grant their Motion to Withdraw as set forth above.

Respectfully
submitted By Counsel for
the Defendant,
William Gateman

/s/ James S. Robbins
James S. Robbins
6 Beacon Street
Boston, MA 02108
(617) 227-7541
BBO# 421880

/s/ Alan G. Miller
Alan G. Miller
6 Beacon Street
Boston, MA 02108
(617) 227-4044
BBO# 346240

Date: January 25, 2006

CERTIFICATE OF SERVICE

I, James S. Robbins, Esquire, hereby certify that on the 25th day of January, 2006, I served the above and foregoing **MOTION OF JAMES S. ROBBINS, ESQ. AND ALAN G. MILLER, ESQ. TO WITHDRAW FROM THE REPRESENTATION OF THE DEFENDANT AND THIRD PARTY PLAINTIFF, WILLIAM GATEMAN, IN THE ABOVE CAPTIONED ACTION**

on the following individual and counsel of record by mailing a true and exact copy of same, postage prepaid, to:

**Dale Kerester
Lynch, Brewer, Hoffman & Fink LLP
101 Federal Street
22nd Floor
Boston, MA 02110**

**J. Mark Dickison, Esq.
LAWSON & WEITZEN, LLP
88 Black Falcon Avenue, Suite 345
Boston, MA 02110**

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY:

/s/ James S. Robbins
JAMES S. ROBBINS
6 Beacon Street
Boston, MA 02108
Tel: (617) 227-7541
BBO#421880

CERTIFICATE OF SERVICE

I, James S. Robbins, Esquire, hereby certify that on the 25th day of January, 2006, I served the above and foregoing **EMERGENCY MOTION OF JAMES S. ROBBINS, ESQ. AND ALAN G. MILLER, ESQ. TO WITHDRAW FROM THE REPRESENTATION OF THE DEFENDANT AND THIRD PARTY PLAINTIFF, WILLIAM GATEMAN, IN THE ABOVE CAPTIONED ACTION**

on the following individual, by overnight FEDEX, a true and exact copy of same to:

**William Gateman
93 Atlantic Avenue
Swampscott, MA 01901
TRACKING NO: 8533 3450 5729**

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY:

/s/ James S. Robbins
JAMES S. ROBBINS
6 Beacon Street
Boston, MA 02108
Tel: (617) 227-7541
BBO#421880

